

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 23628 of 1995

Between:

K. Balagopal S/O K.P. Sharma

R/O Room No. 308 Kiran Apartments

IInd Floor, Pragathi Press Line Red Hills, Hyderabad

..... PETITIONER

AND

- 1 Chief Secretary
Government of A.P Secretariat
Hyderabad
- 2 District Collector, Cuddapah
- 3 Chief Executive, Rayalaseema Thermal
Power Project (RTPP), Kalamalla
Cuddapah

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or other appropriate writ, order or direction in the nature of a Writ. a) directing the respondents to make alternate provision for the discharge of effluents and drain water after treatment of the effluents to render them harmless. b) directing the respondents to ensure that fresh water streams and irrigation channels are maintained without any pollution c) directing the respondents to pay compensation to the dependents of the victims listed in the writ petition subject to a minimum of Rs. 50,000/- per person. and pass such other or further orders as this Hon'ble court may deem fit and just in the circumstances of the case.

For the Petitioner: MR.B.NALIN KUMAR , Advocate (not present)

For the Respondent Nos.1&2 : The G.P FOR IRRIGATION

For the Respondent No 3: MR.C.V.NAGARJUNA REDDY, Advocate

The Court made the following :

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ORAL ORDER :(per HON'BLE THE CHIEF JUSTICE)

None appeared for petitioner.

Petition was filed on 19-10-1995 seeking direction to the respondents to make alternative provision for the discharge of effluents and drain water after treatment of the effluents to render them harmless; to direct the respondents to ensure that fresh water streams and irrigation channels are maintained without any pollution; and to direct the respondents to pay compensation to the dependants of victims listed in the writ petition subject to a minimum of Rs.50,000/- per person.

The aforementioned directions are sought for by the petitioners without being first submitting representation to the respondents. The grievance pertains to inaction on the part of the District Administration, Kadapa in not preventing the alleged continued pollution of water force from Rayalaseema Thermal Power Project (RTPP) and not providing alternative safe drinking water facilities. As in normal course, in the absence of any representation before seeking the aforementioned direction, we would have dismissed the writ petition, but considering that petition has been filed as Public Interest Litigation and till date no counter has been filed, we direct that the writ petition itself be treated as representation on behalf of the petitioner, duly consider it

by the respondents and appropriate orders be passed thereupon in accordance with law for redressal of petitioner's grievance, within a period of eight weeks from the date of receipt of a copy of writ order from this Court.

Ordered accordingly

Writ petition stands disposed of. No costs.

DEVINDER GUPTA. C.J.,

G. ROHINI. J.,

Dated: 22.06.2004.

Kvrk.

To

- 1 The Chief Secretary
Government of A.P Secretariat
Hyderabad

- 2 The District Collector
District Collector Cuddapah
- 3 The Chief Executive, Rayalaseema Thermal
Power Project (RTPP) Kalamalla
Cuddapah
4. **2 CD copies.**
5. 2 CCs to the GP for Irrigation , High Court of A.P., Hyderabad (OUT).